

## **REMARKS**

In the Office Action dated April 13, 2007, the Examiner rejected claim 101 under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement, rejected claims 85 – 88, 106, and 108 – 111 under 35 USC § 102(e) as being anticipated by US Patent 6,751,402 (hereinafter referred to as Elliot), rejected claim 89 under 35 USC § 103(a) as being unpatentable over Elliot in view of US Patent 6,353,700 (hereinafter referred to as Zhou), rejected claims 90, 103, and 107 under 35 USC § 103(a) as being unpatentable over Elliot in view of US Patent 6,826,512 (hereinafter referred to as Dara-Abrams), rejected claim 91 under 35 USC § 103(a) as being unpatentable over Elliot in view of US Patent 5,793,366 (hereinafter referred to as Mano), rejected claim 92 under 35 USC § 103(a) as being unpatentable over Elliot in view of US Patent 6,182,094 (hereinafter referred to as Humpleman), rejected claim 93 under 35 USC § 103(a) as being unpatentable over Elliot in view of US Patent 5,883,621 (hereinafter referred to as Iwamura), and rejected claims 101-102 and 104-105 under 35 USC § 103(a) as being unpatentable over Elliot. In this Response, Applicants have canceled claims 87, 108, and 109 and added new claims 112-114. Accordingly, claims 85, 86, 88-93, 101-107, and 110-114 will be pending after entry of this Response.

### **I. Rejection under U.S.C. 112**

In the Office Action, the Examiner rejected claims 101 under 35 U.S.C. 112, first paragraph, as being failing to comply with the written description requirement. Specifically, the Examiner stated that claim 101 contains subject matter which was not

described in the specification as claimed. Applicants have amended claim 101 to address the Examiner's rejection thereof.

## II. Rejections under U.S.C. 102

In the Office Action, the Examiner rejected claims 85 – 88, 106, and 108 – 111 under 35 USC § 102(e) as being anticipated by Elliot. As amended, claim 85 recites a home media system comprising:

network;  
acquisition storage set-top box, coupled to said network, for storing at least one digital data content object comprising an executable file;  
control/playback set-top box, coupled to said network, comprising a media playback module and a media control module, said media control module comprising an applications module for accessing, across said network, at least one digital data content object from said acquisition storage set-top box, and for running at least one media application that provides functionality, through a user interface, to play media, said media playback module for executing said digital data content object comprising an executable file; and  
client device, coupled to said control/playback set-top box, for displaying said user interface for said media application and for playing media comprised in said digital data content object.  
(Emphasis added.)

Applicants submit that Elliot does not teach or suggest each limitation of amended claim 85. For example, Elliot does not teach or suggest an acquisition storage set-top box for storing at least one digital data content object comprising an executable file and a control/playback set-top box comprising a media playback module for executing said digital data content object comprising an executable file. Elliot discloses a digital video recorder configured to receive a real-time video signal from a set-top box and provide a recorded video signal to the set-top box during a playback interval (*see* Abstract). As

such, Elliot does not teach or suggest a storage set-top box for storing an executable file and a control/playback set-top box for executing the executable file, as required in claim

85. For the above reasons, Applicants believe that claims 85-88 are in allowable form.

As amended, claim 106 recites a home media system comprising:

network;  
acquisition storage set-top box, coupled to said network, for storing a plurality of different types of digital data content objects comprising video, image, or audio digital data content objects;  
control/playback set-top box, coupled to said network, comprising a media playback module and a media control module, said media control module comprising an applications module for accessing, across said network, at least one digital data content object from said acquisition storage set-top box, and for running at least one of a plurality of media applications suitable for said type of digital data content object, said media playback module comprising a decoder for decoding media comprised in said digital data content object;  
display client device, coupled to said control/playback set-top box, for playing video or image media comprised in video or image digital data content objects; and  
audio client device, coupled to said control/playback set-top box, for playing audio media comprised in audio digital data content objects, wherein said audio client device is configured to only play audio media in audio digital data content objects and not being configured to play video or image media in video or image digital data content objects.

(Emphasis added.)

Applicants submit that Elliot does not teach or suggest each limitation of amended claim 106. For example, Elliot does not teach or suggest an acquisition storage set-top box for storing a plurality of different types of digital data content objects comprising video, image, or audio digital data content objects and an audio client device for playing audio media comprised in audio digital data content objects, wherein said audio client device is configured to only play audio media in audio digital data content objects and not being configured to play video or image media in video or image digital data content

objects. For the above reasons, Applicants believe that claims 106 and 110-111 are in allowable form.

### **III. Rejections under U.S.C. 103**

In the Office Action, the Examiner rejected claim 89 under 35 USC § 103(a) as being unpatentable over Elliot in view of Zhou, rejected claims 90, 103, and 107 under 35 USC § 103(a) as being unpatentable over Elliot in view of Dara-Abrams, rejected claim 91 under 35 USC § 103(a) as being unpatentable over Elliot in view of Mano, rejected claim 92 under 35 USC § 103(a) as being unpatentable over Elliot in view of Humpleman, rejected claim 93 under 35 USC § 103(a) as being unpatentable over Elliot in view of Iwamura, and rejected claims 101-102 and 104-105 under 35 USC § 103(a) as being unpatentable over Elliot.

None of the cited references, either alone or in combination, cure the deficiencies of Elliot in teaching or suggesting the limitations of claims 85 or 106. Claims 89-93 and 103-105 are dependent upon claim 85, and thus are allowable for at least the same reasons as claim 85. Claim 107 is dependent upon claim 106, and thus is allowable for at least the same reasons as claim 106. As amended, claim 101 contains the “executable file” limitation of claim 85. As such, claim 101 is also in allowable form. Claim 102 is dependent upon claim 101, and thus is allowable for at least the same reasons as claim 101.

### **IV. New Claims 112-114**

Claims 112 and 113 are dependent upon claim 106, and thus are allowable for at

least the same reasons as claim 106. Claim 114 is dependent upon claim 101, and thus is allowable for at least the same reasons as claim 101. Further, none of the cited references, either alone or in combination, teach or suggest the additional limitations of claim 113 and 114. For example, none of the cited references teach or suggest an access control module for receiving, from a remote control, a user request for a particular digital data content object or executable file and for extracting a unique identification of the remote control from the user request, said unique identification being used to restrict access to the particular digital data content object or executable file.

In view of the foregoing, it is submitted that the claims are in condition for allowance. Reconsideration of the rejections and objections is requested. Allowance is earnestly solicited at the earliest possible date.

Respectfully submitted,

STATTLER JOHANSEN & ADELI LLP

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/G Suh/ #48,187

Gregory Suh

Reg. No. 48,187

Stattler, Johansen & Adeli LLP  
60 South Market Street  
Suite 480  
San Jose, CA 95113  
(408) 881-0140 ext. 104  
(408) 881-0145 (Fax)